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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,810	12/03/2001	Steve Wong	BEA0005.01	9402
27187	7590	12/09/2004	EXAMINER	
BAKER & DANIELS 205 W. JEFFERSON BOULEVARD SUITE 250 SOUTH BEND, IN 46601			DEBERADINIS, ROBERT L	
			ART UNIT	PAPER NUMBER
			2836	

DATE MAILED: 12/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/005,810

Applicant(s)

WONG ET AL.

Examiner

Robert DeBeradinis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9,20-22 and 25-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9,20-22 and 25-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of claims 1-9, 20-22 and 25-35 in the reply filed on 6/23/04 is acknowledged.

Claim Rejections - 35 USC § 102

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 2, 4, 20-22, 25-30 are rejected under 35 U.S.C. 102(a) as being anticipated by ARMBRUSTER 6,374,447.

Regarding claims 1, 4, 25, 26, 30, .

ARMBRUSTER discloses a hand held washing unit motor drive comprising a housing (40) having an upper battery receiving cavity and a lower motor receiving cavity (32), a motor received in lower cavity (figure 2), electrical contacts positioned within said upper cavity being electrically connected to said motor (inherent to provide battery power to motor) a linkage drivingly connected to said motor (see figures), and an output drive member connected to said linkage (38);

An elongated handle (28) connected to said motor drive unit for grasping while in use;

A battery pack receivable in said upper cavity, said battery pack having a housing for receipt of at least one battery, said battery being electrically connected to battery contacts external of said housing, said battery being in alignment with said motor contacts (inherent in the design of a switch); and a switch interconnection

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between said battery and motor, for switching power between the battery and motor (see figures); whereby, upon installation of said battery pack into said upper cavity, said battery contacts electrically engage said motor contacts, electrically interconnecting said battery to said motor (inherent means to supply power to the motor).

Regarding claim 2.

ARMBRUSTER discloses wherein said motor drive axis and said output drive member are aligned along a common axis (38 is in alignment with the motor shaft).

Regarding claims 20-22.

ARMBRUSTER discloses a hand held washing unit comprising the claimed motor drive unit including a yoke attached to said motor drive unit and an elongated handle connected to said yoke for grasping while in use, said yoke having a locking mechanism cooperable between said yoke and drive unit, said locking mechanism having a plurality of locking positions, locking said motor drive unit in a plurality of positions (figures 3, 5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5-8, 27, 29, 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over ARMBRUSTER 6,374,447.

Regarding claims 3, 27.

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ARMBRUSTER discloses wherein said upper cavity is 90 Degrees within said common axis, such that the batteries are installed perpendicular to said common axis.

ARMBRUSTER does not disclose wherein said upper cavity is in alignment with said common axis, such that said battery is installed along said common axis.

The Examiner takes official notice. Battery pack design is well known in the art, it would have been obvious to modify the battery pack disclosed by ARMBRUSTER to align with the common axis. The motivation would be to reduce the width of the washing unit (column 6, first paragraph).

Regarding claims 5-8, 28, 31, 32, 33, 34.

ARMBRUSTER discloses a hand held washing unit as claimed in claim 1.

ARMBRUSTER is silent as to claims 5-8, 28, 31-34.

The Examiner takes official notice. Claims 5-8 are obvious alterations of the basic battery power hand held washing unit disclosed by ARMBRUSTER.

It would have been obvious to one having ordinary skill in the art at the time of this invention modify the hand held washing unit to include some or all the above alterations. The motivation would be to solve a mechanical size problem (column 6, first paragraph).

Claims 9, 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over ARMBRUSTER 6,374,447 in view of HOSAKA 3,871,472.

Regarding claims 9, 35.

ARMBRUSTER discloses a hand held washing unit as claimed in claim 6.

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ARMBRUSTER does not disclose wherein said switch includes a full power position and a partial power position, said partial power position having silicon rectifier diodes in series therewith, for controlling the voltage drop.

HOSAKA discloses a silicon diode in series with a load will drop the voltage supplied to the load approximately 0.6 to 1.0 volts (column 4, lines 45-55).

The Examiner takes official notice. It is well known in the art of DC motor control the speed is directly proportional to voltage, therefore the effect of reducing the supply voltage to the DC motor will reduce the speed of the motor.

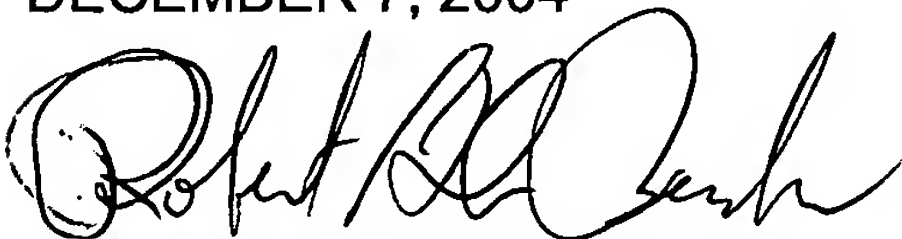
It would have been obvious to one having ordinary skill in the art at the time of this invention to switch a diode in series with the motor. The motivation would be to reduce the speed of the motor.

Any inquiry concerning this communication should be directed to Robert L. DeBeradinis whose number is (571) 272-2049. The Examiner can normally be reached Monday-Friday from 8:30 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Brian Sircus, can be reached on (571) 272-2058. The Fax phone number for this Group is (703) 872-9306.

RLD

DECEMBER 7, 2004



ROBERT L. DEBERADINIS
PRIMARY EXAMINER